

FILED
Clerk
District Court

JUN - 2 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

George L. Hasselback, Esq.
O'Connor Berman Dotts & Banes
Second Floor, Nauru Building
P.O. Box 501969
Saipan, MP96950
Telephone No. (670) 234-5684
Facsimile No. (670) 234-5683

Attorneys for Plaintiff Bernard Sikimour Phillip

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

Bernard Sikimour Phillip,)	CIVIL CASE NO. 05-
)	
Plaintiff,)	
)	DECLARATION OF GEORGE L.
vs.)	HASSELBACK
)	
)	
U.S. SECRETARY OF STATE,)	
UNITED STATES OF AMERICA,)	
UNITED STATES IMMIGRATION AND)	
CUSTOMS ENFORCEMENT and)	
AVIATION SERVICES LTD., dba)	
FREEDOM AIR ,)	
)	
Defendants.)	

I, George L. Hasselback, declare under the penalty of perjury according to the laws of the Commonwealth of the Northern Mariana Islands and the United States of America, that the following is true and based upon my personal knowledge, except where noted otherwise, and if called to testify, I could do so competently:

1. In my capacity as attorney for Plaintiff Bernard Sikimour Phillip ("Mr. Phillip"), I instructed my office's accounting staff to prepare an itemized summary of the costs and attorney fees associated with my representation of Mr. Phillip in the above-captioned matter. A copy of this summary is attached hereto as "Exhibit A."

ORIGINAL

1 2. I have reviewed this summary and can verify that it accurately reflects the amount of time
2 billed by the various attorneys that have worked on Mr. Phillip's case. This time does not reflect
3 the full amount of time that was spent on the prosecution of Mr. Phillip's case.

4
5 3. This matter was initially brought to the attention of Mr. David Banes ("Mr. Banes"), a
6 partner in my firm, who assigned the case to me but remained available for consultation and
7 supervision of my work on this matter. Additionally, Mr. Joseph Horey ("Mr. Horey") also was
8 available for my consultation and supervised some of the work that I did on this matter. Mr.
9 Banes only recorded a portion of the time that he spent assisting me on this matter. The actual
10 time spent by Mr. Banes in consulting with me and reviewing my work on this case are far in
11 excess of the time that is reflected on this itemized statement.

12
13 4. I have reviewed this summary and can verify that it accurately reflects the various costs
14 associated with Mr. Phillip's representation.

15
16 5. Utilizing the standard billing rates for the attorneys who worked on this matter, the costs
17 and attorney fees associated with the prosecution of Mr. Phillip's case amount to \$18,142.90.

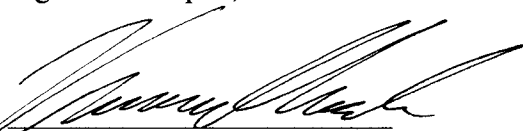
18
19 6. Utilizing the statutory billing rate under the Equal Access To Justice Act, the costs and
20 attorney fees associated with the prosecution of Mr. Phillip's case amount to \$18,142.90.

21
22 7. During the course of my representation of Mr. Phillip, I have learned that he is retired and
23 living off of a limited and fixed income. Other than a meager income from social security and
24 some personal belongings, Mr. Phillip does not have any appreciable assets that would make him
25 ineligible for an award of fees and costs under the Equal Access To Justice Act.

26
27 8. Mr. Phillip is the prevailing party in the above-captioned case. A copy of the Order of
28 this Court incorporating the terms of the agreement between Mr. Phillip and the various

1 defendants that retained jurisdiction of this Court for the enforcement of that agreement is
2 attached hereto as "Exhibit B."

3
4 Signed on Saipan, Commonwealth of the Northern Mariana Islands, this 2nd day of June, 2006:

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6 George L. Hasselback
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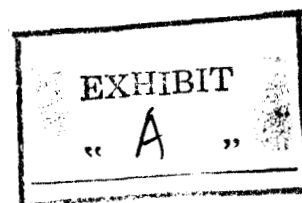
**BERNARD PHILLIPS
SUMMARY OF FEES AND COSTS**

AT NORMAL RATE:

ATTORNEYS FEES (92.8 HOURS)	\$17,464.00
COSTS OF ACTION	<u>678.90</u>
TOTAL	<u>\$18,142.90</u>

AT STATUTORY RATE OF (\$125.00/HOUR)

ATTORNEYS FEES (92.8 HOURS)	\$11,600.00
COSTS OF ACTION	<u>678.90</u>
TOTAL FEES AND COSTS	<u>\$12,278.90</u>



BREAKDOWN OF ATTORNEYS FEES AT NORMAL RATE:

DAVID G. BANES (1.80HRS. @ \$240.00/HR.)	\$ 432.00
JOSEPH E. HOREY (4.40HRS. @ \$230.00/HR.)	1,012.00
GEORGE L. HASSELBACK (86.40HRS. @ \$185.00/HR.)	15,984.00
ERIC D. BOZMAN (0.20HR. @ \$180.00/HR.)	<u>36.00</u>

TOTAL ATTORNEYS FEES	<u>\$17,464.00</u>
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Selection Criteria

Date range : 10/1/98 through 6/2/06
Slip numbers : All
Timekeeper : All
Client : 3241-01 Cont.
Activity : All
Custom Fields : All
Reference : All
Slip status : Open
Billing status : All
Rate source : All at level All
Bookmark slips : Not checked
Hours : All
Dollars : All
Variance : Not checked

Bernard Phillips

For time: s=spent u=unbillable e=estimated v=variance

Date / Start Time	Timekeeper	Rate		
Reference	Client	Level	Time	Total
Description	Slip# Activity			
.....15866		230.00	0.30s	69.00
10/25/05	Jed	1		
Meeting with George	3241-01 Cont.			
Hasselback re civil rights	Meeting			
case and potential				
preliminary motion.				
.....15870		230.00	0.60s	138.00
10/27/05	Jed	1		
Meeting with George	3241-01 Cont.			
Hasselback re progress of	Meeting			
negotiations with US				
Immigration and ideas for				
projected lawsuit. (twice)				
.....15929				
10/31/05	Emma			
Fax/Phonebills	3241-01 Cont.	Qty	Amount	
	\$Fax/Phonebills	1	14.50	14.50
.....16058		185.00	0.50s	92.50
10/17/05	George			
Review of records for	3241-01 Cont.			
potential client.	Review			

Date 6/2/06
Time 10:49 pm

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For time: s=spent u=unbillable e=estimated v=variance

Date / Start Time	Timekeeper				
Reference	Client		Rate		
Description	Slip#	Activity	Level	Time	Total
.....16059			185.00	0.50s	92.50
10/17/05	George				
Research re: issuance of	3241-01 Cont.				
passport/determination of	Research				
citizenship.					
.....16060			185.00	0.30s	55.50
10/17/05	George				
Phone call to Jane Mack at	3241-01 Cont.				
MLS.	Phone call				
.....16067			185.00	1.00s	185.00
10/18/05	George				
Meeting with Micronesian	3241-01 Cont.				
Legal Services re: new case.	Meeting				
.....16073			185.00	0.30s	55.50
10/19/05	George				
Phone call from potential	3241-01 Cont.				
client.	Phone call				
.....16085			185.00	0.40s	74.00
10/21/05	George				
Phone conference with client.	3241-01 Cont.				
	Phone call				
.....16087			185.00	0.70s	129.50
10/21/05	George				
Research re: passpory	3241-01 Cont.				
issuance.	Research				
.....16089			185.00	1.20s	222.00
10/24/05	George				
Draft of Complaint.	3241-01 Cont.				
	Draft				

For time: s=spent u=unbillable e=estimated v=variance

Date / Start Time	Timekeeper	Rate		
Reference	Client	Level	Time	Total
Description	Slip# Activity			
.....16090		185.00	0.40s	74.00
10/24/05	George			
Phone call from client.	3241-01 Cont.			
	Phone call			
.....16091		185.00	0.30s	55.50
10/24/05	George			
Phone call to CNMI	3241-01 Cont.			
Immigration re: options to	Phone call			
travel.				
.....16092		185.00	0.40s	74.00
10/24/05	George			
Phone call to Guam Ice re:	3241-01 Cont.			
alternate travel	Phone call			
arrangements.				
.....16093		185.00	0.20s	37.00
10/24/05	George			
Phone call to Guam Ice re:	3241-01 Cont.			
follow up.	Phone call			
.....16094		185.00	0.20s	37.00
10/24/05	George			
Phone call from client re:	3241-01 Cont.			
airline.	Phone call			
.....16095		185.00	0.20s	37.00
10/24/05	George			
Phone call to Mr. Palacios	3241-01 Cont.			
to confirm airline for	Phone call			
travel.				
.....16096		185.00	0.40s	74.00
10/24/05	George			
Revision of complaint.	3241-01 Cont.			
	Preparation			

For time: s=spent u=unbillable e=estimated v=variance

Date / Start Time	Timekeeper	Rate		
Reference	Client	Level	Time	Total
Description	Slip# Activity			
.....16102		185.00	0.20s	37.00
10/25/05	George			
Phone call from client.	3241-01 Cont.			
	Phone call			
.....16104		185.00	0.20s	37.00
10/25/05	George			
Final revision of complaint.	3241-01 Cont.			
	Preparation			
.....16147		185.00	0.20s	37.00
10/25/05	George			
Phone call to freedom air.	3241-01 Cont.			
	Phone call			
.....16149		185.00	0.40s	74.00
10/25/05	George			
Research with Jed Horey re:	3241-01 Cont.			
trial strategy.	Research			
.....16182		185.00	0.50s	92.50
10/26/05	George			
Phone call to Guam ICE.	3241-01 Cont.			
	Phone call			
.....16183		185.00	0.20s	37.00
10/26/05	George			
Phone call to Senior	3241-01 Cont.			
Citizen's center.	Phone call			
.....16187		185.00	0.20s	37.00
10/27/05	George			
Phone call from client.	3241-01 Cont.			
	Phone call			

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Date / Start Time	Timekeeper			
Reference	Client	Rate		
Description	Activity	Level	Time	Total
.....16188		185.00	0.20s	37.00
10/27/05	George			
Phone call from Guam ICE.	3241-01 Cont.			
	Phone call			
.....16192		185.00	0.70s	129.50
10/27/05	George			
Phone call from Guam Ice.	3241-01 Cont.			
	Phone call			
.....16194		185.00	1.20s	222.00
10/27/05	George			
Revision of complaint.	3241-01 Cont.			
	Client Dvlp			
.....16195		185.00	2.30s	425.50
10/27/05	George			
Research re: attorneys fees.	3241-01 Cont.			
	Research			
.....16208		185.00	0.40s	74.00
10/31/05	George			
Revision of complaint.	3241-01 Cont.			
	Client Dvlp			
.....16209		185.00	0.70s	129.50
10/31/05	George			
Draft of declaration.	3241-01 Cont.			
	Draft			
.....16210		185.00	1.20s	222.00
10/31/05	George			
Draft of motion for TRO.	3241-01 Cont.			
	Draft			

Detail Slip Listing

For time: s=spent u=unbillable e=estimated v=variance

Date / Start Time	Timekeeper	Rate	Time	Total
Reference	Client	Level		
Description	Slip# Activity			
.....16211		185.00	0.40s	74.00
10/31/05	George			
Phone call to local USA	3241-01 Cont.			
office.	Phone call			
.....16212		185.00	0.60s	111.00
10/31/05	George			
Phone call to Guam USA	3241-01 Cont.			
office.	Phone call			
.....16213		185.00	1.20s	222.00
10/31/05	George			
Preparation of forms, calls	3241-01 Cont.			
to ESM consulate.	Preparation			
.....16214		185.00	0.40s	74.00
10/31/05	George			
Phone call from client.	3241-01 Cont.			
	Phone call			
.....16217		185.00	0.40s	74.00
10/31/05	George			
Download / fill out g-28	3241-01 Cont.			
form.	Client Dvlp			
.....16218		185.00	0.50s	92.50
10/31/05	George			
Research re: attorneys fees.	3241-01 Cont.			
	Research			
.....16318				
10/31/05	Emma			
Word Processing	3241-01 Cont.	Qty	Amount	
	\$WordProcessing	1	1.67	1.67

For time: s=spent u=unbillable e=estimated v=variance

Date / Start Time	Timekeeper	Rate		
Reference	Client	Level	Time	Total
Description	Slip# Activity			
.....16337				
10/31/05	Emma			
TNI Charges - October	3241-01 Cont.	Qty	Amount	
	\$Adjustment	1	8.18	8.18
.....16345		240.00	0.40s	96.00
10/31/05	Dave	1		
Various discussion with	3241-01 Cont.			
George Hasselback re: status	Meeting			
and strategy of matter over				
a week period.				
.....16428		180.00	0.20s	36.00
10/24/05	Eric	1		
Discussion re: facts and	3241-01 Cont.			
immigration.	Meeting			
.....16463		230.00	0.30s	69.00
10/31/05	Jed	1		
Meeting with George re	3241-01 Cont.			
issues in case.	Meeting			
.....16539				
11/29/05	Emma			
Filing fee - complaint and	3241-01 Cont.	Qty	Amount	
demand for jury trial	\$Filing fee	1	250.00	250.00
(boh5523)				
.....16679				
11/30/05	Emma			
Word Processing	3241-01 Cont.	Qty	Amount	
	\$WordProcessing	1	4.17	4.17
.....16692		240.00	0.45s	108.00
11/1/05	Dave	1		
Discussion with George	3241-01 Cont.			
Hasselback re: status and	Meeting			
strategy. Review letters				

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Date / Start Time	Timekeeper	Rate		
Reference	Client	Level	Time	Total
Description	Slip# Activity			
.....16692	cont.			
to/from government officials.				
.....16723				
11/30/05	Emma			
Xerox Charges	3241-01 Cont.	Qty	Amount	
	\$Xerox Charges	1	51.30	51.30
.....16757				
11/30/05	Emma			
Fax/Phonebills	3241-01 Cont.	Qty	Amount	
	\$Fax/Phonebills	1	22.50	22.50
.....16876		185.00	0.20s	37.00
11/1/05	George			
Phone call to Guam FSM	3241-01 Cont.			
consulate.	Phone call			
.....16877		185.00	0.30s	55.50
11/1/05	George			
Phone call to Carolinian	3241-01 Cont.			
Affairs.	Phone call			
.....16917		185.00	0.20s	37.00
11/1/05	George			
Phone call to man amko ctr.	3241-01 Cont.			
	Phone call			
.....16921		185.00	0.20s	37.00
11/1/05	George			
Phone call from Carolinian	3241-01 Cont.			
Affairs.	Phone call			

For time: s=spent u=unbillable e=estimated v=variance

Date / Start Time	Timekeeper	Rate	Time	Total
Reference	Client	Level		
Description	Slip# Activity			
.....16932		185.00	0.20s	37.00
11/3/05	George			
Phone call to client.	3241-01 Cont.			
	Phone call			
.....16938		185.00	0.20s	37.00
11/3/05	George			
Phone call from client.	3241-01 Cont.			
	Phone call			
.....16939		185.00	0.20s	37.00
11/3/05	George			
Phone call to Guam Ice.	3241-01 Cont.			
	Phone call			
.....16942		185.00	0.20s	37.00
11/3/05	George			
Phone call from client.	3241-01 Cont.			
	Phone call			
.....16949		185.00	0.20s	37.00
11/7/05	George			
Phone call from client.	3241-01 Cont.			
	Phone call			
.....16952		185.00	0.50s	92.50
11/7/05	George			
Review of letter from Guam	3241-01 Cont.			
ICE draft of response.	Review			
.....16953		185.00	0.30s	55.50
11/8/05	George			
Revision of letter to R.	3241-01 Cont.			
Miner.	Preparation			

For time: s=spent u=unbillable e=estimated v=variance

Date / Start Time	Timekeeper	Client	Rate	Time	Total
Reference	Client	Activity	Level		
Description	Slip#	Activity	Level	Time	Total
.....16954			185.00	0.20s	37.00
11/8/05	George				
Document assembly for email.	3241-01 Cont.	Preparation			
.....16964			185.00	0.20s	37.00
11/9/05	George				
Phone call from client.	3241-01 Cont.	Phone call			
.....16973			185.00	0.20s	37.00
11/10/05	George				
Phone call to Guam ICE.	3241-01 Cont.	Phone call			
.....16978			185.00	0.20s	37.00
11/10/05	George				
Phone call to Freedom Air.	3241-01 Cont.	Phone call			
.....16995			185.00	0.30s	55.50
11/14/05	George				
Phone call to Guam ICE.	3241-01 Cont.	Phone call			
.....16996			185.00	0.20s	37.00
11/14/05	George				
Phone call to freedom air.	3241-01 Cont.	Phone call			
.....16999			185.00	0.20s	37.00
11/14/05	George				
Phone call from Freedom Air.	3241-01 Cont.	Phone call			

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Date / Start Time	Timekeeper				
Reference	Client		Rate		
Description	Slip#	Activity	Level	Time	Total
.....17002			185.00	0.30s	55.50
11/14/05	George				
Phone call from Freedom Air.	3241-01 Cont.				
	Phone call				
.....17004			185.00	0.20s	37.00
11/14/05	George				
Phone call to Saipan	3241-01 Cont.				
Immigration.	Phone call				
.....17010			185.00	0.40s	74.00
11/15/05	George				
Phone call to Saipan	3241-01 Cont.				
Immigration.	Phone call				
.....17021			185.00	0.20s	37.00
11/16/05	George				
Phone call from runner.	3241-01 Cont.				
	Phone call				
.....17022			185.00	0.20s	37.00
11/16/05	George				
Phone call to CNMI	3241-01 Cont.				
Immigration.	Phone call				
.....17023			185.00	0.30s	55.50
11/16/05	George				
Phone call from CNMI	3241-01 Cont.				
Immigration.	Phone call				
.....17025			185.00	0.20s	37.00
11/16/05	George				
Phone call to man'amko	3241-01 Cont.				
center.	Phone call				

For time: s=spent u=unbillable e=estimated v=variance

Date / Start Time	Timekeeper	Rate		
Reference	Client	Level	Time	Total
Description	Slip# Activity			
.....17026		185.00	0.40s	74.00
11/16/05	George			
Phone call to Mr. Phillip in	3241-01 Cont.			
CHC.	Phone call			
.....17044		185.00	0.40s	74.00
11/18/05	George			
Phone call from client.	3241-01 Cont.			
	Phone call			
.....17045		185.00	1.60s	296.00
11/18/05	George			
Revision of complaint.	3241-01 Cont.			
	Preparation			
.....17047		185.00	0.50s	92.50
11/18/05	George			
Meeting with David Banes re:	3241-01 Cont.			
filing.	Meeting			
.....17050		185.00	0.30s	55.50
11/21/05	George			
Phone call from client.	3241-01 Cont.			
	Phone call			
.....17069		185.00	0.20s	37.00
11/22/05	George			
Phone call to M. Schwab.	3241-01 Cont.			
	Phone call			
.....17071		185.00	0.20s	37.00
11/22/05	George			
Phone call to US Attorney's	3241-01 Cont.			
office.	Phone call			

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Date / Start Time	Timekeeper			
Reference	Client	Rate		
Description	Slip# Activity	Level	Time	Total
.....17087		185.00	0.30s	55.50
11/28/05	George			
Phone call from client.	3241-01 Cont.			
	Phone call			
.....17090		185.00	0.40s	74.00
11/28/05	George			
Phone call to Jane Mack.	3241-01 Cont.			
	Phone call			
.....17092		185.00	1.00s	185.00
11/28/05	George			
Research reL Bivens action.	3241-01 Cont.			
	Research			
.....17093		185.00	1.30s	240.50
11/28/05	George			
Review/revision of complaint	3241-01 Cont.			
and declaration.	Review			
.....17095		185.00	0.50s	92.50
11/29/05	George			
Review/revision of complaint.	3241-01 Cont.			
	Review			
.....17096		185.00	1.00s	185.00
11/29/05	George			
Meeting with client.	3241-01 Cont.			
	Meeting			
.....17103		185.00	0.60s	111.00
11/29/05	George			
Organization of exhibits.	3241-01 Cont.			
	Preparation			

Date 6/2/06
Time 10:49 pm

For time: s=spent u=unbillable e=estimated v=variance

Date / Start Time	Timekeeper	Rate		
Reference	Client	Level	Time	Total
Description	Slip# Activity			
.....17106		185.00	1.00s	185.00
11/29/05	George			
Research re: service of	3241-01 Cont.			
process on USA.	Research			
.....17108		185.00	0.30s	55.50
11/29/05	George			
Federal court cover sheet.	3241-01 Cont.			
	Preparation			
.....17124		240.00	0.35s	84.00
11/18/05	Dave	1		
Discussion with George	3241-01 Cont.			
Hassellback re: status and	Conference			
strategy of trying to get				
Mr. Phillip into Guam or				
suit.				
.....17130		240.00	0.60s	144.00
11/23/05	Dave	1		
Review and revise complaint.	3241-01 Cont.			
	Review			
.....17172				
11/30/05	Emma			
TNI charges - November	3241-01 Cont.	Qty	Amount	
	\$Adjustment	1	1.94	1.94
.....17302				
12/31/05	Emma			
Mileage	3241-01 Cont.	Qty	Amount	
	\$Mileage	1	1.20	1.20
.....17317				
12/31/05	Emma			
Postage	3241-01 Cont.	Qty	Amount	
	\$Postage	1	5.34	5.34

Date 6/2/06
Time 11:44 pm

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Date / Start Time	Timekeeper	Rate		
Reference	Client	Level	Time	Total
Description	Slip# Activity			
.....17317	cont.			
.....17461		185.00	0.20s	37.00
12/2/05	George			
Phone call from client.	3241-01 Cont.			
	Phone call			
.....17480		185.00	0.30s	55.50
12/6/05	George			
Phone call from client.	3241-01 Cont.			
	Phone call			
.....17489		185.00	0.50s	92.50
12/7/05	George			
Phone call from client re:	3241-01 Cont.			
MHA concerns.	Phone call			
.....17511		185.00	0.30s	55.50
12/12/05	George			
Phone call from client.	3241-01 Cont.			
	Phone call			
.....17560		185.00	0.20s	37.00
12/19/05	George			
Phone call from client.	3241-01 Cont.			
	Phone call			
.....17593		185.00	0.20s	37.00
12/21/05	George			
Phone call from client.	3241-01 Cont.			
	Phone call			

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Date / Start Time	Timekeeper	Rate		
Reference	Client	Level	Time	Total
Description	Slip# Activity			
.....17595		185.00	0.20s	37.00
12/21/05	George			
Phone call to U.S.	3241-01 Cont.			
Attorney's Office.	Phone call			
.....17596		185.00	0.50s	92.50
12/21/05	George			
Phone call from U.S.	3241-01 Cont.			
Attorney's Office.	Phone call			
.....17763				
12/31/05	Emma			
TNI charges - December	3241-01 Cont.	Qty	Amount	
	\$Adjustment	1	2.38	2.38
.....17887		230.00	0.60s	138.00
1/26/06	Jed	1		
Meeting with George	3241-01 Cont.			
Hasselback re summary	Meeting			
judgment motion. Brief				
research re same.				
.....17894		230.00	0.30s	69.00
1/27/06	Jed	1		
Meeting with George	3241-01 Cont.			
Hasselback re issues in	Meeting			
case.				
.....17899		230.00	1.30s	299.00
1/30/06	Jed	1		
Review draft motion for	3241-01 Cont.			
summary judgment. Meetings	Review			
and discussions with George				
Hasselback re same.				
.....17961		185.00	0.20s	37.00
1/3/06	George			
Phone call from client.	3241-01 Cont.			
	Phone call			

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Date / Start Time	Timekeeper			
Reference	Client	Rate		
Description	Slip# Activity	Level	Time	Total
.....17961	cont.			
.....17978		185.00	0.20s	37.00
1/4/06	George			
Phone call to Frank Guerrero	3241-01 Cont.			
on Guam.	Phone call			
.....17994		185.00	0.30s	55.50
1/5/06	George			
Phone call to Guam US	3241-01 Cont.			
Attorney's office, re:	Phone call			
service upon N. Finn.				
.....17995		185.00	0.50s	92.50
1/5/06	George			
Research of service of	3241-01 Cont.			
process in Hawaii.	Research			
.....17996		185.00	0.30s	55.50
1/5/06	George			
Preparation of documents for	3241-01 Cont.			
personal service upon N.	Preparation			
Finn.				
.....17997		185.00	0.30s	55.50
1/5/06	George			
Meeting with David Banes re:	3241-01 Cont.			
service of process issues.	Meeting			
.....18002		185.00	0.30s	55.50
1/6/06	George			
Phone call to HA office.	3241-01 Cont.			
	Phone call			

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Date / Start Time	Timekeeper	Rate	Time	Total
Reference	Client	Level		
Description	Slip# Activity			
.....18003		185.00	0.30s	55.50
1/6/06	George			
Draft of letter to HA office	3241-01 Cont.			
re: service of process.	Draft			
.....18023		185.00	0.30s	55.50
1/10/06	George			
Phone call from client.	3241-01 Cont.			
	Phone call			
.....18027		185.00	0.70s	129.50
1/10/06	George			
Draft letter to US	3241-01 Cont.			
Attorney's office.	Draft			
.....18032		185.00	0.30s	55.50
1/10/06	George			
Revision of letter to US	3241-01 Cont.			
Attorney's office.	Preparation			
.....18047		185.00	1.00s	185.00
1/12/06	George			
Research re: domicile.	3241-01 Cont.			
	Research			
.....18049		185.00	0.70s	129.50
1/13/06	George			
Research re: presumption of	3241-01 Cont.			
continued domicile.	Research			
.....18091		185.00	0.30s	55.50
1/17/06	George			
Phone call from client re:	3241-01 Cont.			
Motion for Summary Judgment.	Phone call			

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Date / Start Time	Timekeeper	Client	Rate	Time	Total
Reference	Activity		Level		
Description	Slip#				
.....18152			185.00	0.40s	74.00
1/23/06	George				
Phone call from client.	3241-01 Cont.				
	Phone call				
.....18161			185.00	0.20s	37.00
1/24/06	George				
Phone call to District Court	3241-01 Cont.				
re: other cases.	Phone call				
.....18174			185.00	0.70s	129.50
1/24/06	George				
Research re: summary	3241-01 Cont.				
judgment.	Research				
.....18191			185.00	1.00s	185.00
1/26/06	George				
Research re: past cases	3241-01 Cont.				
involving chuukese- born US	Research				
citizens.					
.....18192			185.00	0.20s	37.00
1/26/06	George				
Phone call to Court to	3241-01 Cont.				
schedule motion hearing.	Phone call				
.....18197			185.00	1.00s	185.00
1/26/06	George				
Draft Motion for Summary	3241-01 Cont.				
Judgment.	Draft				
.....18198			185.00	0.40s	74.00
1/27/06	George				
Email to FSM office.	3241-01 Cont.				
	Correspondence				

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Date / Start Time	Timekeeper			
Reference	Client	Rate		
Description	Slip# Activity	Level	Time	Total
.....18199		185.00	0.40s	74.00
1/27/06	George			
Phone call to Chuuk clerk of courts.	3241-01 Cont. Phone call			
.....18200		185.00	0.60s	111.00
1/27/06	George			
Research re: quantum of proof of citizenship.	3241-01 Cont. Research			
.....18201		185.00	0.80s	148.00
1/27/06	George			
Trust territory code approach to birth certificate.	3241-01 Cont. Preparation			
.....18202		185.00	0.30s	55.50
1/27/06	George			
Phone call to Office of the Attorney general.	3241-01 Cont. Phone call			
.....18204		185.00	1.50s	277.50
1/27/06	George			
Draft of Motion for Summary Judgment.	3241-01 Cont. Draft			
.....18208		185.00	0.90s	166.50
1/27/06	George			
Revision of Motion for Summary Judgment.	3241-01 Cont. Preparation			
.....18213		185.00	0.20s	37.00
1/30/06	George			
Phone call to client.	3241-01 Cont. Phone call			

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Date / Start Time	Timekeeper	Rate		
Reference	Client	Level	Time	Total
Description	Slip# Activity			
.....18214		185.00	2.50s	462.50
1/30/06	George			
Revision of Motio for	3241-01 Cont.			
Summary Judgment.	Preparation			
.....18216		185.00	0.20s	37.00
1/30/06	George			
Phone call to client.	3241-01 Cont.			
	Phone call			
.....18217		185.00	0.50s	92.50
1/30/06	George			
Revision of Motion for	3241-01 Cont.			
Summary Judgment.	Preparation			
.....18218		185.00	0.40s	74.00
1/30/06	George			
Meeting with Jed Horey re:	3241-01 Cont.			
Motion for Summary Judgment.	Meeting			
.....18220		185.00	0.50s	92.50
1/30/06	George			
Research re: backup for	3241-01 Cont.			
birth certificate.	Research			
.....18221		185.00	0.40s	74.00
1/30/06	George			
Phone call to Chuuk Health	3241-01 Cont.			
Department re: application	Phone call			
for birth certificate.				
.....18223		185.00	0.50s	92.50
1/31/06	George			
Revision of Motion for	3241-01 Cont.			
Summary Judgment.	Preparation			

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Date / Start Time	Timekeeper			
Reference	Client	Rate		
Description	Slip# Activity	Level	Time	Total
.....18224		185.00	0.40s	74.00
1/31/06	George			
Draft of Declaration in	3241-01 Cont.			
support of Motion for	Draft			
Summary Judgment.				
.....18226		185.00	0.50s	92.50
1/31/06	George			
Review of Answer.	3241-01 Cont.			
	Review			
.....18227		185.00	0.30s	55.50
1/31/06	George			
Phone call from client re:	3241-01 Cont.			
declaration.	Phone call			
.....18230		185.00	0.80s	148.00
1/31/06	George			
Revision of Motion for	3241-01 Cont.			
Summary Judgment.	Preparation			
.....18231		185.00	0.40s	74.00
1/31/06	George			
Preparation of exhibits for	3241-01 Cont.			
Motion for Summary Judgment.	Preparation			
.....18232		185.00	1.00s	185.00
1/31/06	George			
Research re: deprivation of	3241-01 Cont.			
liberties via passport	Research			
denial.				
.....18277				
1/31/06	Emma			
Xerox Charges	3241-01 Cont.			
	\$Xerox Charges			
		Qty	Amount	
		1	36.00	36.00

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Date / Start Time	Timekeeper	Client	Rate	Time	Total
Reference	Activity	Level			
Description	Slip#				
.....18304					
1/31/06	Emma				
Fax/Phonebills	3241-01 Cont.	Qty	Amount		
	\$Fax/Phonebills	1	12.00		12.00
.....18634					
1/31/06	Emma				
TNI charges	3241-01 Cont.	Qty	Amount		
	\$Adjustment	1	11.64		11.64
.....18872			185.00	0.40s	74.00
2/9/06	George				
Phone call to J. Mack at MLS.	3241-01 Cont.				
	Phone call				
.....18887			185.00	1.40s	259.00
2/13/06	George				
Case management conference	3241-01 Cont.				
hearing.	Hearing				
.....18906			185.00	0.40s	74.00
2/16/06	George				
Phone call from client.	3241-01 Cont.				
	Phone call				
.....18930			185.00	0.40s	74.00
2/27/06	George				
Phone call to Mark Schwab.	3241-01 Cont.				
	Phone call				
.....18931			185.00	0.30s	55.50
2/27/06	George				
Phone call from client re:	3241-01 Cont.				
settlement of claims.	Phone call				

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Date / Start Time	Timekeeper	Client	Rate	Time	Total
Reference	Client		Level		
Description	Slip#	Activity			
.....18949			185.00	0.20s	37.00
2/28/06	George				
Phone call from client.	3241-01 Cont.				
	Phone call				
.....19484					
2/28/06	Emma				
Fax/Phonebills	3241-01 Cont.		Qty	Amount	
	\$Fax/Phonebills		1	45.50	45.50
.....19646					
2/28/06	Emma				
Westlaw charges for January	3241-01 Cont.		Qty	Amount	
(boh5898)	\$Adjustment		1	37.22	37.22
.....19733					
2/28/06	Emma				
Copying fee	3241-01 Cont.		Qty	Amount	
	\$Adjustment		1	29.50	29.50
.....19735					
2/28/06	Emma				
Postage	3241-01 Cont.		Qty	Amount	
	\$Postage		1	1.11	1.11
.....19745					
2/28/06	Emma				
Mileage	3241-01 Cont.		Qty	Amount	
	\$Mileage		1	3.00	3.00
.....19814					
2/28/06	Emma				
TNI charges for February	3241-01 Cont.		Qty	Amount	
	\$Adjustment		1	1.81	1.81

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Date / Start Time	Timekeeper	Rate		
Reference	Client	Level	Time	Total
Description	Slip# Activity			
.....20221		230.00	0.70s	161.00
3/20/06	Jed	1		
Meeting with George re EAJA application (twice). Breif research re same.	3241-01 Cont. Meeting			
.....20290		185.00	0.20s	37.00
3/3/06	George			
Phone call to U.S. Attorney.	3241-01 Cont. Phone call			
.....20314		185.00	0.30s	55.50
3/7/06	George			
Phone call from client.	3241-01 Cont. Phone call			
.....20329		185.00	0.30s	55.50
3/7/06	George			
Phone call to US Attorney in Guam.	3241-01 Cont. Phone call			
.....20355		185.00	0.50s	92.50
3/9/06	George			
Preparation for hearing.	3241-01 Cont. Preparation			
.....20356		185.00	0.30s	55.50
3/9/06	George			
Phone call to client.	3241-01 Cont. Phone call			
.....20388		185.00	0.40s	74.00
3/9/06	George			
Review of letter from Mark Shklov.	3241-01 Cont. Review			

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Date / Start Time	Timekeeper	Rate	Time	Total
Reference	Client	Level		
Description	Slip# Activity			
.....20389		185.00	0.30s	55.50
3/9/06	George			
Phone call to FSM office.	3241-01 Cont.			
	Phone call			
.....20390		185.00	0.20s	37.00
3/9/06	George			
Phone call to Chuuk health	3241-01 Cont.			
services.	Phone call			
.....20391		185.00	0.20s	37.00
3/9/06	George			
Phone call to client.	3241-01 Cont.			
	Phone call			
.....20393		185.00	0.40s	74.00
3/9/06	George			
Draft of declaration for	3241-01 Cont.			
client.	Draft			
.....20395		185.00	0.60s	111.00
3/9/06	George			
Preparation for hearing.	3241-01 Cont.			
	Preparation			
.....20397		185.00	0.30s	55.50
3/10/06	George			
Draft of declaration of	3241-01 Cont.			
George Hasselback.	Draft			
.....20398		185.00	1.00s	185.00
3/10/06	George			
Preparation for case	3241-01 Cont.			
management conference.	Preparation			

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Date / Start Time	Timekeeper			
Reference	Client	Rate		
Description	Slip# Activity	Level	Time	Total
.....20399		185.00	1.40s	259.00
3/10/06	George			
Case management conference.	3241-01 Cont.			
	Conference			
.....20401		185.00	0.20s	37.00
3/10/06	George			
Phone call to Sam McFeeders	3241-01 Cont.			
at college.	Phone call			
.....20402		185.00	0.50s	92.50
3/10/06	George			
Phone call to client.	3241-01 Cont.			
	Phone call			
.....20404		185.00	0.30s	55.50
3/10/06	George			
Phone call to Mark Schwab.	3241-01 Cont.			
	Phone call			
.....20406		185.00	0.40s	74.00
3/10/06	George			
Revision of client	3241-01 Cont.			
declaration.	Preparation			
.....20407		185.00	0.40s	74.00
3/10/06	George			
Email to Mark Schwab.	3241-01 Cont.			
	Correspondence			
.....20419		185.00	0.30s	55.50
3/13/06	George			
Phone call to Mark Schwab.	3241-01 Cont.			
	Phone call			

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Date / Start Time	Timekeeper	Rate	Time	Total
Reference	Client	Level		
Description	Activity			
.....20444		230.00	0.30s	69.00
3/29/06	Jed	1		
Meeting with George re terms of stipulated order.	3241-01 Cont. Meeting			
.....20459		185.00	0.30s	55.50
3/16/06	George			
Phone call to U.S. Attorney's office.	3241-01 Cont. Phone call			
.....20461		185.00	0.30s	55.50
3/16/06	George			
Phone call to Mr. Philip.	3241-01 Cont. Phone call			
.....20462		185.00	0.20s	37.00
3/16/06	George			
Phone call to Northern Mariana College.	3241-01 Cont. Phone call			
.....20468		185.00	0.30s	55.50
3/16/06	George			
Email to Mark Schwab.	3241-01 Cont. Correspondence			
.....20471		185.00	0.20s	37.00
3/17/06	George			
Review of email from U.S. Attorney.	3241-01 Cont. Review			
.....20472		185.00	0.20s	37.00
3/17/06	George			
Phone call from US attorney.	3241-01 Cont. Phone call			

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Date / Start Time	Timekeeper	Rate	Time	Total
Reference	Client	Level		
Description	Activity			
.....20474		185.00	0.20s	37.00
3/17/06	George			
Fax to U.S. Attorney.	3241-01 Cont.			
	Preparation			
.....20483		185.00	0.20s	37.00
3/20/06	George			
Email to USA.	3241-01 Cont.			
	Correspondence			
.....20491		185.00	0.20s	37.00
3/20/06	George			
Review of email from USA and	3241-01 Cont.			
follow up.	Review			
.....20520		185.00	0.30s	55.50
3/21/06	George			
Email to Mark Schwabb.	3241-01 Cont.			
	Correspondence			
.....20537		185.00	0.20s	37.00
3/22/06	George			
Phone call to Mark Schwabb.	3241-01 Cont.			
	Phone call			
.....20554		185.00	0.20s	37.00
3/23/06	George			
Phone call from client.	3241-01 Cont.			
	Phone call			
.....20571		185.00	0.20s	37.00
3/23/06	George			
Email to Mark Schwabb.	3241-01 Cont.			
	Correspondence			

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Date / Start Time	Timekeeper	Rate		
Reference	Client	Level	Time	Total
Description	Slip# Activity			
.....20574		185.00	0.20s	37.00
3/24/06	George			
Review of email from Mark Schwab.	3241-01 Cont. Review			
.....20576		185.00	0.60s	111.00
3/24/06	George			
Status conference with Judge Munson.	3241-01 Cont. Conference			
.....20580		185.00	0.20s	37.00
3/24/06	George			
Phone call to U.S. attorneys office.	3241-01 Cont. Phone call			
.....20597		185.00	0.20s	37.00
3/27/06	George			
Phone call to passport office.	3241-01 Cont. Phone call			
.....20630		185.00	0.50s	92.50
3/28/06	George			
EAJA research.	3241-01 Cont. Research			
.....20631		185.00	0.70s	129.50
3/29/06	George			
Draft of stipulation and proposed order.	3241-01 Cont. Draft			
.....20633		185.00	0.30s	55.50
3/29/06	George			
Email to Mark Schwab.	3241-01 Cont. Correspondence			

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Date / Start Time	Timekeeper	Client	Rate	Time	Total
Description	Slip#	Activity	Level		
.....20647			185.00	0.20s	37.00
3/29/06		George			
Phone call from client.		3241-01 Cont.			
		Phone call			
.....20736			185.00	0.40s	74.00
3/31/06		George			
Meeting with client.		3241-01 Cont.			
		Meeting			
.....21226					
3/31/06		Emma			
Fax/Phonebills		3241-01 Cont.			
		\$Fax/Phonebills	Qty	Amount	
			1	14.00	14.00
.....21280					
3/31/06		Emma			
Mileage		3241-01 Cont.			
		\$Mileage	Qty	Amount	
			1	5.40	5.40
.....21783			280.00	0.25s	70.00
3/9/06		Bob		0.25u	
Discuss strategy on how to		3241-01 Cont.			
deal with INO's failure to		Meeting			
cooperate (again).					
		NO CHARGE			
.....21938					
3/31/06		Emma			
TNI charges		3241-01 Cont.			
		\$Adjustment	Qty	Amount	
			1	3.78	3.78
.....22432			185.00	0.20s	37.00
4/6/06		George			
Email to Mike Schwab.		3241-01 Cont.			
		Correspondence			

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Description	Slip#	Activity	Level	Time	Total
.....22432	cont.				
.....22448			185.00	0.20s	37.00
4/10/06	George				
Phone call to US Attorney	3241-01 Cont.				
Office.	Phone call				
.....22509			185.00	0.30s	55.50
4/12/06	George				
Phone call to Mike Schwab	3241-01 Cont.				
re: settlement.	Phone call				
.....22510			185.00	0.50s	92.50
4/12/06	George				
Letter to Mike Schwab.	3241-01 Cont.				
	Correspondence				
.....22550			185.00	0.20s	37.00
4/18/06	George				
Phone call to Mike Schwab.	3241-01 Cont.				
	Phone call				
.....22557			185.00	0.30s	55.50
4/18/06	George				
Email to Mike Schwab.	3241-01 Cont.				
	Correspondence				
.....22559			185.00	0.00s	0.00
4/18/06	George				
Draft of motion for status	3241-01 Cont.				
conference.	Draft				

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Reference	Client	Rate		
Description	Slip# Activity	Level	Time	Total
.....22593		185.00	0.30s	55.50
4/20/06	George			
Review of stipulation from	3241-01 Cont.			
AUSA Rapadas.	Review			
.....22594		185.00	0.50s	92.50
4/20/06	George			
Email to Mike Schwab.	3241-01 Cont.			
	Correspondence			
.....22596		185.00	0.60s	111.00
4/20/06	George			
Research re: estoppel issues	3241-01 Cont.			
re: citizenship.	Research			
.....22597		185.00	0.40s	74.00
4/24/06	George			
Review of email/proposed	3241-01 Cont.			
dismissal from Mike Schwab.	Review			
.....22598		185.00	0.50s	92.50
4/24/06	George			
Reply to Mike Schwab re:	3241-01 Cont.			
stipulation.	Preparation			
.....22599		185.00	0.40s	74.00
4/24/06	George			
Draft of proposed	3241-01 Cont.			
stipulation.	Draft			
.....22711		185.00	0.20s	37.00
4/28/06	George			
Phone call from client.	3241-01 Cont.			
	Phone call			

For time: s=spent u=unbillable e=estimated v=variance

Date / Start Time	Timekeeper	Rate		
Reference	Client	Level	Time	Total
Description	Slip# Activity			
.....22973				
4/30/06	Emma			
TNI charges April	3241-01 Cont.	Qty	Amount	
	\$Adjustment	1	0.57	0.57
.....23004				
4/30/06	Emma			
Xerox Charges	3241-01 Cont.	Qty	Amount	
	\$Xerox Charges	1	81.00	81.00
.....23079				
4/30/06	Emma			
Fax/Phonebills	3241-01 Cont.	Qty	Amount	
	\$Fax/Phonebills	1	15.00	15.00
.....23383				
4/30/06	Emma			
Mileage	3241-01 Cont.	Qty	Amount	
	\$Mileage	1	0.90	0.90
.....24100		185.00	0.30s	55.50
5/1/06	George			
File search for client.	3241-01 Cont.			
	Preparation			
.....24130		185.00	0.40s	74.00
5/2/06	George			
Review of stipulation.	3241-01 Cont.			
	Review			
.....24131		185.00	0.40s	74.00
5/2/06	George			
Email to Mike Schwab.	3241-01 Cont.			
	Correspondence			

Date 6/2/06
Time 10:49 pm

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Detail Slip Listing

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For time: s=spent u=unbillable e=estimated v=variance

Date / Start Time	Timekeeper			
Reference	Client	Rate		
Description	Slip# Activity	Level	Time	Total
.....24135		185.00	0.40s	74.00
5/2/06	George			
Phone call from Mike Schwab.	3241-01 Cont.			
	Phone call			
.....24180		185.00	0.40s	74.00
5/3/06	George			
Review of stipulation.	3241-01 Cont.			
	Review			
.....24183		185.00	0.20s	37.00
5/3/06	George			
Phone call from Court.	3241-01 Cont.			
	Phone call			
.....24203		185.00	0.20s	37.00
5/5/06	George			
Review of court order.	3241-01 Cont.			
	Review			
.....24246		185.00	0.30s	55.50
5/8/06	George			
Email to Mike Schwab.	3241-01 Cont.			
	Correspondence			
.....24343		185.00	0.30s	55.50
5/12/06	George			
Research re: EAJA.	3241-01 Cont.			
	Research			
.....24418		185.00	0.20s	37.00
5/19/06	George			
Email to Mike Schwab.	3241-01 Cont.			
	Correspondence			

Date 6/2/06
Time 11:44 pm

Case 1:05-cv-00039

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For time: s=spent u=unbillable e=estimated v=variance

Date / Start Time	Timekeeper	Client	Rate		
Description	Slip#	Activity	Level	Time	Total
.....24419			185.00	0.40s	74.00
5/19/06		George			
Letter to Mike Schwab.		3241-01 Cont.			
		Correspondence			
.....24502			185.00	0.20s	37.00
5/24/06		George			
Email to Mike Schwab.		3241-01 Cont.			
		Correspondence			
.....24508					
5/12/06		Emma			
DHL - boh6127		3241-01 Cont.			
		\$DHL			
			Qty	Amount	
			1	17.29	17.29
<hr/>					
GRAND TOTAL					
	Timekeeper			93.05s	17534.00
	Client				0.00
	Activity				678.90
	Billable			92.80	18142.90
	Unbillable			0.25	70.00

FILED
Clerk
District Court

MAY - 11 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

George L. Hasselback, Esq.
O'Connor Berman Dotts & Banes
Second Floor, Nauru Building P.O. Box 501969
Saipan, MP 96950
Telephone No. (670) 234-5684
Facsimile No. (670) 234-5683

Attorneys for Plaintiff Bernard Sikimour Phillip

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

BERNARD SIKIMOUR PHILLIP,) CIVIL CASE NO. 05-0019

Plaintiff,)

vs.)

UNITED STATES OF AMERICA,) STIPULATION AND DISMISSAL

UNITED STATES DEPARTMENT OF)

STATE, UNITED STATES)

IMMIGRATION AND CUSTOMS)

ENFORCEMENT and)

NANCY K. FINN, individually and in)

her official capacity,)

Defendants.)

The parties in the above-captioned matter have settled the matter of Plaintiff's entitlement to a United States passport. The parties stipulate that Plaintiff became a citizen of the United States on November 4, 1986, under Section 301(b) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States

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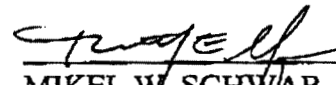
EXHIBIT

" B "

1 of America. The parties stipulate to dismissal of all remaining causes of action with
2 prejudice, with the Court to retain jurisdiction to enforce the terms and conditions of this
3 stipulated agreement reached between the parties and to determine the amount of any
4 attorney's fees recoverable, if any, should the parties be unable to reach an agreement on that
5 issue.
6

7
8
9 SO STIPULATED
10

11 
12
13 GEORGE L. HASSELBACK, Esq.
14 Counsel for Plaintiff, Bernard S. Phillip

for 
15 MIKEL W. SCHWAB
16 Assistant U.S. Attorney

17 LEONARDO M. RAPA DAS
18 United States Attorney
19 Districts of Guam and NMI
20

21
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28
Dated: 5/3/06

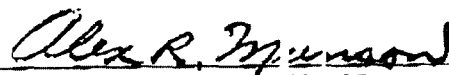
Dated: 5/3/06

[PROPOSED] ORDER

Based on the stipulation between the parties in this matter, the pleadings and the other papers on file and the applicable law, the Court DECLARES that Bernard Sikimour Phillip has proven to the satisfaction of this Court that he became a citizen of the United States of America on November 4, 1986, under Section 301(b) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, and that he is entitled to all the rights and privileges appertaining thereto.

Furthermore, the Court ORDERS that the remaining causes of action in this lawsuit are hereby dismissed with prejudice. This Court retains jurisdiction in this case to enforce the terms and conditions of the stipulated agreement reached between the parties and to determine the amount of any attorney's fees recoverable, if any, should the parties be unable to reach an agreement on that issue.

Dated: May 5, 2006.


Alex R. Munson, Chief Judge

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MAY - 4 2006

Clerk
District Court
The Northern Mariana Islands